



A G E N D A

General Plan/LCP Implementation Committee

September 10, 2008

3:30 p.m.

City Council Chambers

1. Approve Action Minutes from August 13,2008

To be distributed at meeting

3:30-3:35

2. Fair Share Fee Update

Update on progress

3:35-3:40

3. Zoning Code Re-write

Distribution of draft Code and discussion of organization and review strategy

3:40-4:45

4. Items for Future Agenda

4:45- 4:50

5. Public Comments on non-agenda items

4:50-5:00



CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

DRAFT ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, August 13, 2008**

Members Present:

X	Ed Selich, Mayor, Chairman
X	Leslie Daigle, Mayor Pro Tem
X	Don Webb, Council Member
X	Barry Eaton, Planning Commissioner
X	Robert Hawkins, Planning Commissioner
X	Michael Toerge, Planning Commissioner

Advisory Group Members Present:

	Mark Cross
	Larry Frapwell
	William Guidero
	Ian Harrison
X	Brion Jeannette
	Don Krotee
X	Todd Schooler
	Kevin Weeda
	Dennis Wood

Staff Representatives:

X	Sharon Wood, Assistant City Manager
	David Lepo, Planning Director
X	Robin Clauson, City Attorney
	James Campbell, Senior Planner
	Gregg Ramirez, Senior Planner

Consultants:

X	Rich Edmonston
	Scott Thorpe, Revenue & Cost Specialists

E = Excused Absence

Committee Actions

1. **Agenda Item No. 1** – Approval of minutes

Action: Committee approved the draft minutes.

Vote: Consensus

2. Agenda Item No. 2 - General Plan/LCP Implementation - Master Task List

Action: The Committee was provided an update on the status of several items on the master task list. On item 3. Zoning Code and Specific Plan rewrite, consensus was to begin Committee review of draft beginning September 24.

Vote: none

3. Agenda Item No. 3 - Fair Share Fee Update

Action: Scott Thorpe of Revenue & Cost Specialists provided an overview of his report. The Committee received comments from members of the public regarding the study method, the fee increase proposed, and the need for additional time to review the study. The Committee continued discussion to a future meeting to allow for staff and consultants to meet with interested parties.

Vote: Consensus

Agenda Item No. 3

Code Review – Based on List of 33 Identified Issues

Number in parentheses indicates corresponding Issues List number

Review Meetings – Beginning September 24

- 1. Housing Chapters (10, 22)**
 - Inclusionary Ordinance and In-Lieu Fee
 - Density Bonus
 - Conversion or Demolition of Affordable Housing in the Coastal Zone
- 2. Zoning Districts and Use Tables (9, 12, 17, 18, 23, 30)**
 - Zoning Map
 - Districts
 - Use Tables
 - Specific Land Uses (e.g. Animal Keeping, Recycling Facilities, Hotels, etc)
 - Waterfront Uses
 - Definitions as needed
- 3. Residential Development Standards – R-1, R-2, RM (3, 8, 17, 19,20, 26,28, 29, 31)**
 - Setback Maps
 - Height
 - Grade
 - Floor Area Limit
 - Outdoor Living Area/Open Space
 - Alley Setbacks
 - Lighting
 - Parking Requirements
 - Fences, Hedges and Walls
 - Accessory Structures
 - Modification Permits
- 4. Non-Residential Development Standards (5, 11, 17, 27, 29, 31)**
 - Height
 - Grade
 - Lighting
 - Noise
 - Buffering and Screening
 - Landscaping
 - Mixed-Use Regulations
 - Parking Requirements and Standards
 - Parking In-lieu Fee

TDM
Site Development Review
Planned Development Permit

5. **Transfer of Development Rights (24)**
6. **Eating and Drinking (21)**
 - Development Standards
 - Use Regulations
 - Outdoor Dining
 - Parking
 - Alcohol Sales
7. **Non-Conforming Provisions (6, 32)**
 - Residential
 - Non-Residential
 - CDM and Balboa Village Provisions
8. **Coastal and Resource Related (1,7,15,16,33)**
 - CDP
 - Bluffs and Canyons
 - Resource Protection (ESA, ESHA)
 - Wetlands
 - Cultural resources
 - Public Views
 - Coastal Access
 - Fuel Modification
9. **Oil and Gas (14)**
10. **Code Administration**
 - Part 1 – Zoning Code Applicability
 - Part 6 – Zoning Code Administration (Hearings, Notices, etc)
11. **Part 5 – Overview (Ongoing throughout review- Overview for review of Part 2)**
 - Conditional Use Permits
 - Minor Conditional Use Permits
 - Site Development Reviews
 - Planned Development Permits
 - Coastal Development Permits (Permit and Appeal Jurisdiction Map)
 - Limited Term Permits
12. **Other**

CITY OF NEWPORT BEACH

ZONING CODE UPDATE

DISPOSITION OF IDENTIFIED ISSUES

Issues		Proposal Task
	Priority Issues	
1	Coastal bluffs protection and regulations	2.2, 2.3
2	Residential setbacks to remain on District Maps vs. a more general regulation	2.2
3	Alternatives to FAR for regulating size and bulk of houses	2.2
4	Residential neighborhood character: Design standards or guidelines without a formal review process	2.3
5	Commercial interfaces with nonresidential uses and buffering requirements	2.2, 2.3
6	Nonconforming provisions	2.4
7	Local Coastal Program Implementation Plan - Coordinate with staff	2
8	Height and grade regulations	2.3
	Other Issues	
9	New districts, including additional residential density categories, additional commercial categories, mixed-use districts and possible overlay zones to implement new General Plan	2.2
10	Inclusionary housing requirements	2.3
11	Flexible zoning provisions to encourage development of desirable uses	2.3
12	Incentives/restrictions for waterfront uses	2.3
13	Incentives for marine businesses in West Newport Mesa	2.3
14	Prohibition of onshore facilities for offshore oil and gas production	2.2
15	Stronger waterfront access requirements	2.3
16	Public view protection	2.3
17	Revision of definitions	2.2
18	Revision of use classifications/tables	2.2
19	Modification Permit Chapter	2.4
20	Accessory structure regulations	2.3
21	Eating and drinking establishment regulations	2.3
22	Chapter 20.86 (Low and Moderate Income Housing in the Coastal Zone)	2.3
23	Convert Specific Plans to conventional zoning or overlay zones	2.2, 5
24	Transfer of Development Rights	2.3
25	Lot consolidation incentives (West Newport, Old Newport Boulevard, Mariners' Mile)	2.2 , 2.3
26	Minimum standards for residential outdoor living area/open space	2.3
27	Commercial parking standards and in-lieu fee	2.3

CITY OF NEWPORT BEACH ZONING CODE UPDATE

28	Residential parking requirements based on size of homes	2.3
29	Establish lighting standards for commercial and residential uses	2.3
30	Review all Specific Plans and convert to conventional zoning, overlays, or specific plans as defined in State law	5
31	Standards for commercial parking on residential lots in Corona del Mar	2.3
32	New provisions for rebuilding nonconforming commercial floor area in Corona del Mar	2.2, 2.3
33	Natural habitat protection regulations for development adjacent to Buck Gulley and Morning Canyon	2.3

Draft Code Review No. 1 – Housing Chapters

Density Bonus - Chapter 20.32 - New

- Implements Housing Element Program 2.2.11.
- Written in accordance with state law - Govt. Code 65915
- Maximum of 35% bonus
- Uses a sliding scale to determine bonus based on affordability and number of units
- Affordable units required to be restricted a minimum of 30 years
- Affordable units would apply towards meeting RHNA goal

Inclusionary Ordinance – Chapter 20.34 – New

- Implements Housing Element Programs 2.2.1 and 2.2.2.
- Codifies in-lieu fee requirements and creates a Affordable Housing Trust Fund
- Requires that 15% of units be affordable to low income households or 9% of units be affordable to very low income households
- Requires affordable units to be constructed
- Converting existing units to affordable not allowed to meet requirements
- Affordable units required to restricted to a minimum of 30 years
- Affordable units would apply towards meeting RHNA goal

Conversion or Demolition of Affordable Housing in the Coastal Zone Chapter 20.36

- Revises existing Chapter 20.86
- Implements Housing Element Programs 1.1.3 and 2.2.5.
- Written in accordance with state law (Mello Act). Govt. Code 65590
- Gives authority to Director to make replacement feasibility determination
- Planning Commission is review authority in existing code.
- Affordable units required to be restricted a minimum of 30 years.
- Affordable units would apply towards meeting RHNA goal